

October 5, 2004

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, October 5, 2004 at 6:00 p.m. in the Courthouse Annex V Conference Room, 132 East Spring Street, Monroe, Ga. Those present included Chairman Kevin Little, Commissioners Clinton Ayers, Michael Turner, Phil Green, Lamar Palmer, Gerald Atha and John Robinson, County Clerk Leta Talbird, County Attorney Ken Lander and Planning Director Mike Martin. A list of citizens and other employees in attendance at this meeting is on file in the auxiliary file under this meeting date.

Chairman Little called the meeting to order at 6:07 p.m. and led those present in the Pledge of Allegiance. Commissioner Green opened the meeting in prayer.

Commissioner Turner made a motion to adopt the agenda as presented, moving unfinished business to the end of the agenda. Commissioner Green seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from B-1 & MH to B-3 for Daryl Hayes. The effected property is located at 5584 Ga. Hwy. 138 and is further identified on WC Tax Map C30, Parcel 216. The purpose of the request is to rezone 4.912 acres to B-3 for heavy equipment repair. The applicant also requested to be reimbursed for the application fee. Chairman Little opened the public hearing on the matter. Planning Director Mike Martin explained that this is an existing business that has changed ownership. He stated that the rezone is to correct the zoning for the existing use. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Green made a motion to approve the rezone with the conditions stipulated by the Planning Commission. He further moved to refund the application fee. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to A-2 with Open Space Conservation Overlay for J & M Building Contractors, Inc. The effected property, owned by John W. Thompson, Jr. & Barbara Ponder, is located on Mountain Creek Church Road and is further identified on WC Tax Map C 121, Parcels 41, 41A, & 46. The purpose of the request is to rezone 66.71 acres to A-2 with OSC Overlay for a single-family subdivision. Chairman Little opened the public hearing on the matter. Attorney Carol Dew, representing the applicant, came before the Board in support of the rezone. Planning Director Mike Martin reviewed an amended conceptual plan with the Board. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the rezone conditioned upon the owner paying for running the water and being flexible with easements to connect the properties to both open space areas. Commissioner Atha seconded the motion. Commissioners Ayers, Turner, Green, Atha and Palmer voted in favor. Commissioner Robinson opposed the motion, citing the impact on schools. The motion carried 5-1.

The Board considered a Planning Commission recommendation to approve a Land Use change from High Density Residential to Commercial for Tom M. Wages, Sr. The effected property, owned by Robert & Betty Reid and Sherry L. Price, is located at Ga. Hwy. 81 & Youth Monroe Road and is further identified on WC Tax Map C 51, Parcels 178, 186, 187 & 188. The purpose of the request is to change the land use designation on 49 + acres from high density residential to commercial. Chairman Little opened the public hearing on the matter. Attorney Gene Benton, representing the applicant, came before the Board in support of the request. Mr. Benton presented a letter

preserving the applicant's Constitutional Rights for the record. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Green made a motion to approve the request. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1, I-1 & B-2 to B-2 & B-1 for Tom M. Wages, Sr. The effected property, owned by Robert & Betty Reid and Sherry L. Price, is located at Ga. Hwy. 81 & Youth Monroe Road and is further identified on WC Tax Map C 51, Parcels 178, 186, 187 & 188. The purpose of the request is to rezone 49+ acres to B-2 for a funeral home and cemetery, with 5.463 acres identified on WC Tax Map C51, Parcel 178 requested to be rezoned B-1. Chairman Little opened the public hearing on the matter. Attorney Gene Benton, representing the applicant, came before the Board in support of the request. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Commissioner Green made a motion, seconded by Commissioner Atha, to approve the rezone to B-2 and the 5-acre tract to B-1 with the condition that all but the 5-acre corner tract to be used for a funeral home/cemetery only. All voted in favor.

Commissioner Ayers made a motion to table a decision on a Planning Commission recommendation to approve a Land Use change and rezone from A-1 to R-1 with Open Space Conservation Overlay for Key Builders, Inc. until the November 8, 2004 meeting, at the request of the applicant. Commissioner Green seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a guesthouse for Steve & Beverly Mauney. The effected property is located at 3765 Stock Road and is further identified on WC Tax Map C 72, Parcel 45 Split. Chairman Little opened the public hearing on the matter. Steve Mauney came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the Conditional Use. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a guesthouse for James D. & Pamela Susanne Ivester. The effected property is located at 5099 Emmett Harper Road and is further identified on WC Tax Map C 199, Parcel 6 Split. Chairman Little opened the public hearing on the matter. Charna Parker of the Planning & Development Office presented the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the Conditional Use with the condition that it will never be used as a rental. Commissioner Ayers seconded the motion. Commissioner Palmer amended his motion to include that the applicant obtain a permit for the main house at the same time a permit is issued for the guesthouse, as recommended by the Planning Commission. Commissioner Ayers seconded the amended motion. All voted in favor.

Commissioner Robinson made a motion, seconded by Commissioner Atha, to accept the following rights of way in new subdivisions as per Article 8, Section 170 of the Land Development Ordinance: Garmon Commercial Park – Garmon Park Court, Plantation Oaks Subdivision – Oak Ridge Lane & Oakbriar Drive, Ella Springs Subdivision – Ella Springs Drive & Cedar Ridge Crossing Subdivision – Cedar Crest Lane, Sara Court, South Run Cedar Drive & Cedar Stream Court. All voted in favor.

Planning Director Mike Martin presented annexation requests for the City of Loganville and the City of Monroe. Commissioner Robinson made a motion, seconded by Commissioner Ayers, to approve the following annexations:

City of Monroe – Faith Baptist Church – WC Tax Map C 88, Parcels 25 & 26 & Meridian Homes – WC Tax Map C 100, Parcel adjacent to Meadowbrook Subdivision and City of Loganville – Annexation A04-055 – 27 acres – 20 Loaf Partners, LLC – WC Tax Map C 19, Parcels 2 and 3 & A04-057 – 14.89 acres – 20 Loaf Partners, LLC – WC Tax Map C 41, Parcel 5A. Commissioners Green, Palmer, Atha & Robinson voted in favor of the motion. Commissioner Turner opposed the motion. Commissioner Ayers abstained. The motion carried 4-1.

Commissioner Turner made a motion to approve a road name change from Pointer Spur to Clay Road. Commissioner Green seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Land Use change from High Density Residential to Commercial and a rezone request from A-2 to B-3 for Frank Harris. The effected property is located on Ga. Hwy. 20 and is further identified on WC Tax Map C 9, Parcel 1 Split. The purpose of the request is to change the land use designation on 13.074 acres from High Density to Commercial and to rezone the property to B-3. Chairman Little opened the public hearing on the matter. Attorney John Spence, representing the applicant, came before the Board in support of the request. Mr. Spence presented a letter preserving the applicant's Constitutional rights for the record. Mr. Spence stated that the original request for the land use designation to be changed to Industrial and rezone request from A-2 to I-1 had been reduced to commercial land use with a B-3 zoning after conversation with the Planning & Development Office. There was no one present in opposition. Chairman Little closed the public hearing on the matter. After discussion, Commissioner Turner stated that he would like to see some type of site plan for the business before making a decision on the matter. Commissioner Turner made a motion to table the matter until the November 8, 2004 meeting. Commissioner Ayers seconded the motion. Commissioners Ayers, Turner and Robinson voted in favor of the motion. Commissioners Green, Palmer, Atha and Chairman Little opposed the motion. The motion failed 3-4. Commissioner Turner made a motion to approve the rezone to B-3 with the condition that the property will be used for recovered automobile sales and storage yard, conditioned upon no exterior lighting, a privacy fence will be put up and maintained and where the residence is between this property and the Moon property, the applicant will plant 5 gallon Leyland cypress 6 to 8 ft. on center down the property line between their property and Mr. Moon. Commissioner Ayers seconded the motion. All voted in favor. Commissioner Turner made a motion to change the Land Use from High Density Residential to Commercial. Commissioner Green seconded the motion; voted and carried unanimously.

Nancy Kinsey, Executive Director of the Walton County Development Authority, came before the Board to request approval to use the proceeds from the sale of greenspace property to install sewer on property owned by the Development Authority. Commissioner Robinson made a motion to allow the Development Authority to keep the funds and to ask the City of Monroe to split the cost of the sewer installation. Commissioner Turner seconded the motion. All voted in favor.

Joe Watkins of Carter Watkins Associates presented proposals received for the purchase of furniture for the new Government Building. Commissioner Turner made a motion to approve Carter Watkins Associates and Facilities Manager Joyce Chambers to work with Mike Cash Office Products within the budget for furniture. Commissioner Robinson seconded the motion; voted and carried unanimously.

Joe Watkins presented the bid received for clearing, grubbing and grading at the South Madison Avenue Park. Commissioner Turner made a motion to

approve the contract with P. K. Construction, holding them to 90 days completion with a penalty clause in the contract. Commissioner Green seconded the motion. All voted in favor.

Jeff May spoke during the public comment segment of the meeting.

Chairman Little announced that the next Board meeting will be held on November 8, 2004 at 6:00 p.m.

At 7:50 p.m., Commissioner Green made a motion, seconded by Commissioner Palmer, to adjourn the meeting.

All documents of record for this meeting are on file in either the addendum book or auxiliary file under this meeting date.

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KEVIN W. LITTLE, CHAIRMAN	LETA P. TALBIRD, CLERK

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CLINTON AYERS, DISTRICT 1	MICHAEL TURNER, DISTRICT 2

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HARRY P. GREEN, DISTRICT 3	LAMAR PALMER, DISTRICT 4

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GERALD ATHA, DISTRICT 5	JOHN ROBINSON, DISTRICT 6